IN THE CLAIMS:

Please cancel claims 3, 4, 7, and 8 without prejudice or disclaimer.

Please amend claims 1, 2, 5, and 6 as follows:

1. (Currently Amended) An exhaust gas recirculation apparatus for an internal combustion engine mounted with a turbocharger in which a turbine is disposed in an exhaust passage and a compressor is disposed in an intake passage, comprising:

a passage opening and closing device that opens or closes an exhaust gas recirculation passage communicating the exhaust passage on the upstream side of said turbine with the intake passage on the downstream side of said compressor;

a ~~port opening and closing device~~ shutter that opens or closes a port formed on the intake passage on the downstream side of said compressor;

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a butterfly valve disposed in an intake air return passage that returns intake air from said port to the intake passage on the upstream side of said compressor, an opening angle of said butterfly valve being controlled in multi-step fashion between fully open and fully closed petitions;

an operating condition detecting device that detects an engine operating condition; and

a control unit that incorporates a microcomputer therein,

wherein said control unit ~~judges~~ determines whether or not the exhaust gas is to be recirculated based on the engine operating condition detected by said operating condition detecting device, and when it is ~~judged~~ determined that the exhaust gas is to be recirculated, ~~performs a control to open said exhaust gas recirculation passage by~~ said control unit operates said passage opening and closing device ~~and at the same time to open said port by said port opening and closing device~~ to open said exhaust gas recirculation passage and simultaneously

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operates said shutter to open said port and controls the opening angle of said butterfly valve in accordance with the detected engine operating condition.

2. (Currently Amended) An exhaust gas recirculation apparatus for an internal combustion engine according to claim 1, and further comprising

~~wherein there is formed an intake air return passage that returns the intake air taken out of said port to the intake passage on the upstream side of said compressor.~~

a negative pressure detecting device that detects a negative pressure on the downstream side of said compressor; and

an exhaust pressure detecting device that detects an exhaust pressure on the upstream side of said turbine;

wherein said control unit controls the opening angle of said butterfly valve so that a differential pressure between the exhaust pressure detected by said exhaust detecting device and the negative pressure detected by said negative pressure detecting device reaches a target differential pressure according to the engine operating condition.

3. Canceled.

4. Canceled.

~~5.~~ (Currently Amended) An exhaust gas recirculation method for an internal combustion engine mounted with a turbocharger in which a turbine is disposed in an exhaust passage and a compressor is disposed in an intake passage, comprising the steps of:

~~judging~~ determining whether or not the exhaust gas is to be recirculated based on an engine operating condition;

opening an exhaust gas recirculation passage ~~communicating~~ connecting the exhaust passage on the upstream side of said turbine ~~with~~ and the intake passage on the downstream side

of said compressor when it is ~~judged at said judging step~~ determined that the exhaust gas is to be recirculated;

simultaneously opening ~~also~~ a port formed on the intake passage on the downstream side of said compressor and controlling the opening angle of a butterfly valve arranged in an intake air return passage that returns intake air from said port to the intake passage on the upstream side of said compressor, said butterfly valve being opened in multi-step fashion in accordance with the engine operating condition.

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~~6.~~ (Currently Amended) An exhaust gas recirculation method for an internal combustion engine according to claim 3 ~~5~~;

wherein ~~there is formed an intake air return passage that returns the intake air taken out of said port to the intake passage on the upstream side of said compressor~~ the opening angle of said butterfly valve is controlled so that a differential pressure between an exhaust pressure on the upstream side of said turbine and a negative pressure on the downstream side of said compressor reaches a target differential pressure in accordance with the engine operating condition.

7. Canceled.

8. Canceled.